

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
HENRY KATZ,

Plaintiff,

- against -

**ORDER ADOPTING REPORT
AND RECOMMENDATION**
19-CV-3615 (RRM) (LB)

WANDERSTAY HOTELS, LLC,

Defendant.

-----X
ROSLYNN R. MAUSKOPF, United States District Judge.

In June 2019, plaintiff Henry Katz filed this action against defendant Wanderstay Hotels, LLC, seeking injunctive relief in connection with alleged violations of his rights under Title III of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12181, *et seq.*; the ADA Accessibility Guidelines (“ADAAG”), 28 C.F.R. Part 36; the New York State Human Rights Law (“NYSHRL”), N.Y. Exec. Law § 296(2); and the New York City Human Rights Law (“NYCHRL”), N.Y.C. Admin. Code §§ 8-107(4), 8-107(15). After defendant failed to plead or otherwise defend this action and plaintiff moved for a default judgment, the Court referred that motion to Magistrate Judge Lois Bloom who, on March 4, 2021, issued a report and recommendation (the “R&R”), recommending that the motion be denied for lack of personal jurisdiction over defendant. The R&R advised the parties that they had 14 days from service of the R&R in which to file written objections and that any request for an extension of time to file objections had to be made within the fourteen-day period. (R&R (Doc. No. 20) at 9.)

The R&R, which was electronically served on plaintiff on March 4, 2021, directed plaintiff to serve a copy of the R&R upon defendant and file proof of service with the Clerk of

the Court forthwith. Plaintiff's counsel complied with this directive on March 5, 2021.

However, to date, neither plaintiff nor defendant has filed an objection to the R&R.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error. Finding none, the Court adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is

ORDERED that the R&R is adopted in its entirety. Plaintiff's motion for a default judgment is denied. This matter is recommitted to Magistrate Judge Bloom for pre-trial supervision. Plaintiff is directed to serve a copy of this Order on the defendant and file proof of service with the Clerk of Court forthwith.

SO ORDERED.

Dated: Brooklyn, New York
March 22, 2021

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge